IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

ORDER:
Motion granted in part. The
"Supplemental
Response" (Docket No. 114)
shall be sealed.

NASHVILLE I	DIVISION & Cliffon Knowled
JOSEPH C. LONGWAY d/b/a LONGWAY BROADBAND SERVICES,	U.S. Magistrate Judge
Plaintiff,)) Civil Action No. 3:10-cv-00896
v.	Judge Trauger
THE SANBORN MAP COMPANY & APPLIED GEOGRAPHICS, INC.,) Magistrate Knowles))
Defendants.	

DEFENDANT THE SANBORN MAP COMPANY, INC.'S MOTION TO STRIKE OR SEAL PLAINTIFF'S *PRO SE* SUPPLEMENT RESPONSE TO MOTION TO DISMISS

Defendant, The Sanborn Map Company ("Sanborn"), respectfully submits the following motion to strike or seal Plaintiff's *Pro Se* Supplement Response to Defendants' Motion to Dismiss & Failure to State Claim [Doc. 114] ("Supplemental Response" or "Response"), which discloses certain confidential, inadmissible and irrelevant settlement communications. In support of this Motion, Sanborn states as follows:

- 1. On November 6, 2013, this Court accepted the Magistrate Judge's report and recommendation [Doc. 100], granted Sanborn's Motion to Dismiss [Doc. 80] on the grounds of *res judicata*, and dismissed *with prejudice* all claims asserted by the Plaintiff against Sanborn [Doc. 101].
- 2. On November 14, 2013, Defendant Applied Geographics, Inc. ("AppGeo") filed its own Motion to Dismiss [Doc. 103] on *res judicata* grounds. Plaintiff filed his response on December 20, 2013 [Doc. 112], and AppGeo filed a reply on January 8, 2014 [Doc. 113].

¹ Because AppGeo's Motion to Dismiss [Doc. 103] is still pending before this Court, the prior Order of this Court dismissing Sanborn with prejudice [Doc. 101] is technically not yet "final." See Fed. R. Civ. P. 54(b). Nevertheless, out of an abundance of caution, Sanborn further